



# Town of Barnstable

## Land Acquisition and Preservation Committee

[www.town.barnstable.ma.us/Land Acquisition and Preservation Committee](http://www.town.barnstable.ma.us/Land Acquisition and Preservation Committee)

COMMITTEE MEMBERS:

- Kristine Clark, Chair
- Phyllis Miller, Vice Chair
- Laura Cronin
- Duncan Gibson
- James Hinkle
- Tom Lee
- Thomas Mullen
- Stephen O'Neil
- VACANT

TOWN COUNCIL LIAISON:

June Daley

STAFF SUPPORT:

- Jo Anne Miller Buntich
- Carol Puckett

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**Minutes**  
**November 5, 2012**  
**5:30 PM**

**Selectmen's Conference Room; Barnstable Town Hall**

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Kris Clark - Chair	Present
Phyllis Miller – Vice Chair	Present
Laura Cronin	Present
Duncan Gibson	Present
James Hinkle	Present
Thomas Mullen	Present
Stephen O'Neil	Present
Tom Lee	Absent

Also present were Farley Lewis, June Daley, Ann Canedy, Ryan Mann, and Carol Puckett – Administrative Assistant.

As a quorum has been met, Kris Clark opens the meeting at 5:30 and indicates that she will be taking items out of order to accommodate the speakers. From Old Business - Update from the Barnstable Fire/ Water District, David Jones – Chairman of the Board of Water Commissioners will speak.

Mr. Jones indicates that they discovered the planning of solar array panels on the Breeds Hill property which didn't go over too well with them. He indicates that the problem is not with the solar panel array but with the stripping of the land and would be reminiscent of the brush and tree removal at Cape Cod Community College which has also put up solar panel arrays. What he sees as a problem is that the vegetation is necessary in order to stop pollutants from surrounding businesses such as Cape Cod Potato Chip, Harvey Windows and other businesses in that area which have trucks coming and going on a daily basis. He references a fuel spill from one of the businesses which occurred in the 90's and that the only thing that protected the wells was the vegetation. He indicates that they did set up another meeting with Tom Lynch – Town Manager, Mark Ells – Assistant Town Manager, Peter Eleftherakis, Peter Eastman, and himself to clear the air as to what was going on as this took them by surprise. Also, he indicates that this was contrary to the town meeting back in 1986 that clearly stated that they were buying these two parcels for the protection of water sources. Another thing that was disturbing to them as taxpayers was that the Assistant Town Attorney eluded to them that they should hire lawyers to contest it with the Department of Environmental Protection (DEP). Mr. Jones indicates that they did find a DEP regulation indicating that the most area you can utilize in Zone 2 is 25% of the acreage. He indicates that they were assured that this proposal wouldn't go to Town Council immediately. Also, they were assured by Mark Ells, with regards to the McManus property, that they are only going through the permit process in order to explore this area as a potential site for a wastewater dump site as they are only using 50% of the capacity of the existing plant.

Ann Canedy indicates that, in reference to the McManus property, she is concerned as this property is noted as an affluent discharge site in the wastewater comprehensive plan which is submitted to DEP for their approval and that it will outlive whatever their good intentions are. Ann indicates that she did write a letter to John Erickson on June 1, 2012 suggesting that he contact Phil Boudreau to reconsider the McManus property as a discharge site.

Kris is not sure where to go from here. David Jones indicates that the Town Manager has the letter they wrote asking to put those parcels into a restrictive state. Ann Canedy confirms with Mr. Jones that they still have to do a comment to DEP and the district has to expend funds to do this rather than take it off the table.

Duncan Gibson reads the motion from Article 1 of a Town Council meeting in 1986 regarding the purchase of the property for 5.5 million dollars. Duncan then suggests that if the town wants to do a solar array, they might consider putting it at the Cape Town Plaza as the town owns this parcel through the airport.

Laura Cronin asks if the money was for water protection, where the loophole is which allows them to do this.

Tom Mullen indicates that they would need to prove that this would not be a threat to the water supply.

Ann Canedy indicates that solar arrays, per se, are benign but that the clearing and stripping of the land might be harmful.

Kris Clark asks David Jones to work with Tom Mullen, Duncan Gibson and Jim Hinkle to work with him on this for LAPC's next meeting on December 10<sup>th</sup>.

Duncan Gibson indicates that in 1983 there was a survey, policy #4 and reads it.

Ann Canedy adds that she has a chronology of how this committee dealt with these issues which she gives to the members.

Next is Charlie Genatossio.

**Guests:**

**Guest Speaker: Charlie Genatossio, Tree Warden for the Town of Barnstable: Pathways condition and signage in the West Barnstable Conservation Area (Pathway from the Sandwich border)**

Charlie indicates that he has been the tree warden for 28 years and when he first started working for the Town of Barnstable, they would spend three days a week working in the West Barnstable conservation area as it was littered with washing machines, tires, etc., which resulted in the town deciding to gate off the area. Afterwards, nothing was done regarding the recreational aspect of the site except for occasional motorcycle activity. He has been working with conservation all these years regarding putting in trails and believes that currently there is approximately 25 miles of trails. Approximately seven or eight years ago volunteers helped build an overlook deck area.

Approximately five or six years ago, this area was cleared and planted with rye grass. However, over the years the vegetation that grew became invasive which is why they hired a company to manage the fields. He indicates that he has built bird boxes with his son and installed them in the fields some of which have been knocked down. They have done some controlled burns in the area and have applied for grants to do so. There are approximately eight locations at which the area can be accessed such as Crooked Cartway and Race Lane. He shows the trail marker signs and then indicates that at every single trail intersection is a plaque showing what quadrant it is in. This in turn is shown on a map which can be downloaded free from the Conservation Department's website. He believes that this area is the most used conservation area from the Cape Cod Canal down to Orleans. He indicates that the next project is to clean the parking area at Crooked Cartway which abuts the Danforth trails but is not sure if it is passable due to lack of maintenance. He indicates that they have also installed a kiosk with a map behind Plexiglas

at every entryway. He shows pictures of the observation deck built by volunteers with a grant and pictures of the control burns.

They discuss the Cape Pathways map. Charlie Genatossio talks about the littering problem and that people have also been utilizing these trails for walking their dogs.

Ann Canedy indicates that there has been some discussion about farming part of the land. Charlie indicates that because they are not a farming community that more people might get more pleasure out of what is there now.

Farley Lewis then talks about the pathways walk in October which took place under good weather conditions with approximately 20 people attending.

### **Approval of Minutes**

#### **– Minutes from LAP meeting of August 13th, September 10, 2012 & October 1, 2012**

Motion is made by Phyllis Miller and seconded by Duncan Gibson to approve the minutes from August 13<sup>th</sup> as submitted.

Vote:

AYE: Phyllis Miller, Duncan Gibson, Tom Mullen, Laura Cronin, Kris Clark

NAY: None

ABSTAIN: Steve O'Neil, Jim Hinkle

Motion is made by Jim Hinkle and seconded by Phyllis Miller to approve the minutes from September 10, 2012 as submitted

Vote:

AYE: Phyllis Miller, Duncan Gibson, Jim Hinkle, Kris Clark

NAY: None

ABSTAIN: Steve O'Neil, Laura Cronin, Tom Mullen

Motion is made by Jim Hinkle and seconded by Tom Mullen to approve the minutes from October 1, 2012 as submitted. Kris indicates that Ian Ives, speaker at that meeting, had made corrections in red which are to be the ones being approved. Ann Canedy notes that her name was not listed on the first page as an attendee and wants to add it. Also, Duncan corrects the spelling of Edmond Beck to Edmund Beck.

Amendment accepted by Phyllis Miller and seconded by Duncan Gibson.

Vote:

AYE: Phyllis Miller, Jim Hinkle, Tom Mullen, Kris Clark

NAY: None

ABSTAIN: Steve O'Neil, Duncan Gibson, Laura Cronin

### **Updates**

#### **– Santuit Preserve Update: Phyllis Miller**

Phyllis Miller indicates that she has received an email from Catherine Laurent from Mashpee indicating that the total grant award is \$406250 and as far as they know the project is still going forward. Phyllis reads part of the email. Jim Hinkle is not sure if the answer as to how much of the project was funded by the Town of Barnstable was answered. Phyllis clarifies that funds from the grant for the engineering that had to be completed by the end of the month was \$406250 and beyond that it is has not been funded.

#### **– Community Preservation Committee update**

##### **▪ October 22nd postponed to October 28th; now postponed to November 5th: Laura Cronin**

Laura Cronin confirms that she will be attending that meeting tonight.

▪ **November 26th: Kris Clark**

Kris confirms that she will be attending the November 26<sup>th</sup> meeting.

**Old Business**

– **Chair's report: Kris Clark**

- **Open Space and Recreation Plan's implementation strategy**
- **Update from the Barnstable Fire/ Water District**
- **Update from the Hyannis Water Board, Hyannis Fire District**
- **Update regarding vacancy**

Kris reads an article from the February 3, 2012 Barnstable Patriot regarding LAPC's meeting with the water districts.

Kris notes that LAPC member Steve O'Neil is the newest member of the Hyannis Water Board. Steve indicates that they are making efforts to accommodate LAPC regarding a meeting with them

Kris says there is still a vacancy on the board. Ryan Mann, who is present, indicates that he has not been interviewed as of yet and that he had applied to be a member of this committee on August 3, 2012.

Jim Hinkle would like to bring a matter of notification that on November 16<sup>th</sup> the Barnstable Land Trust will be giving Kris Clark a Founder's Award.

Motion is made by Phyllis Miller and seconded by Duncan Gibson to adjourn.

Vote:

All in favor.